

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLITO SANTIAGO SANTOS,

Defendant.

No. 1:19-CR-107-H

NOTICE OF TRIAL PROCEDURES

In anticipation of trial on June 15, 2020, the Court notifies the parties of the following trial procedures:

- Trial will commence at 9:00 a.m. in the Lubbock County Central Jury Pool building, located at 1302 Crickets Ave. Public parking is available, and the public is welcome to attend jury selection. The pretrial conference, previously set for 8:30 a.m. at the U.S. District Court, is cancelled.
- The Court is conducting voir dire in the Lubbock County Central Jury Pool building because it is large enough to permit the jury panel to remain at least six feet apart at all times.
- In its jury summons, the Court informed prospective jurors that (1) jury selection would be conducted in a large room with appropriate social distancing; (2) they should bring a face covering; (3) if selected, jurors would be distanced more than six feet apart at all times; (4) jury deliberation would occur in a large room to permit social distancing; (5) all rooms will be cleaned and disinfected before their arrival, and hand sanitizer will be available; (6) bathroom breaks will be lengthened to ensure physical distancing; and (7) no one should report for duty if they feel ill, have any flu-like symptoms, are experiencing shortness of breath, have a fever, are coughing or sneezing, have been asked to self-quarantine by any hospital or health agency, or have had close contact with anyone who has been diagnosed with COVID-19. Jurors also completed and returned a form addressing their ability to participate, which included questions regarding COVID-19. The Court has excused jurors who sought to be excused based on COVID-19-related concerns.

- Before entering the Central Jury Pool building, panel members will be instructed to wear a face covering and will have their temperatures taken. Anyone with a fever will be excused from service. The Court will provide gloves for those who would like them, along with hand sanitizer.
- The U.S. Marshal Service will transport the defendant by car to the Central Jury Pool building without restraints and after he is able to change into trial attire. The defendant, defense counsel, and the U.S. Marshals will arrive at the building before the jurors and will enter through the building's back door.
- Before voir dire begins, the Court will give each panel member a clear face shield and will instruct the jurors to wear the shields throughout voir dire. The attorneys will be able to see the jurors' faces throughout jury selection.
- The Court will provide the parties 20 minutes each for voir dire—more time than usual for a case of this nature. The Court will provide the parties with a diagram of the room that identifies the jurors and their seat assignments.
- If necessary, the Court, counsel, and the court reporter may step out of the room to conduct any bench conferences and resolve any motions to strike.
- After twelve jurors and one alternate are selected, the Court will dismiss the remaining panel members. The petit jurors will report to the U.S. District Court's jury-empanelment room in the George H. Mahon Federal Building. Once all jurors have left the Central Jury Pool, the U.S. Marshals will transport the defendant to the United States District Court.
- To eliminate the need to leave the building to eat lunch, the Court has entered a jury-sequestration order and will provide the jurors' lunch.
- During trial, the jurors will sit in the gallery at least six feet from one another. Jurors will have the option of wearing face shields or face masks. The parties will sit facing the gallery and will wear masks or shields while not speaking. Witnesses will testify from the jury box and will not wear masks, but the witness will be separated from others in the courtroom by a plexiglass barrier. If necessary, bench conferences may be moved to chambers.
- Although limited seating will remain available to the public in the courtroom, a live video and audio feed will be available in an overflow room. Court security officers will notify any observers of this option. Additionally, if a member of the public would like to observe the trial but cannot attend in person, the Court can provide remote access.

The Court will hold a status conference on June 8, 2020, at 1:30 p.m., during which the Court will hear any requested additions or modifications to these procedures.

For their help in securing an alternate location to conduct voir dire due to the pandemic, the Court wishes to thank Lubbock County District Court Judge William R. Eichmann, Lubbock County District Court Judge John "Trey" J. McClendon, the Lubbock County District Clerk, Barbara Sucsy, and the professionals at the Lubbock County Central Jury Pool. Their assistance and cooperation have been invaluable and are a credit to Lubbock County.

So ordered on June 8, 2020.

A handwritten signature in black ink, appearing to read "James W. Hendrix", written over a horizontal line.

JAMES WESLEY HENDRIX
UNITED STATES DISTRICT JUDGE